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March 8, 2024

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Via CM/ECF and E-Mail

United States District Judge Katherin Polk Failla
United States District Court for the Southern District
40 Foley Square, Room 2103
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

RE: **Wilburt Perez vs. Michael J. Martino and Jonas Bronck Housing Co.,
Case No. 23-cv-00193**

Dear Judge Failla:

This firm represents the Defendants, Michael J. Martino and Jonas Bronck Housing Co. in the above-referenced matter. The purpose of this letter is to request an extension of the deadline for the parties to submit a case management plan and to request a pre-motion conference. Please note, my office reached out in good faith today to discuss this matter with Plaintiff's counsel and to request consent for an extension of time to file a proposed management plan and status letter. The basis for said request is our office will be filing a letter motion to submit a dispositive motion in this matter. While Counsel for the Plaintiff indicated he would review our written request for an extension and, than advise if he consents, as you can see Plaintiff's counsel went ahead and filed a proposed management plan and status letter without consent.

Request for Extension of Deadline

On March 6, 2024, this Court issued an order scheduling an initial pretrial conference for March 15, 2023 (Dkt. No. 20), and further instructed the parties to jointly submit a proposed case management plan and status letter. Due to the Defendants expected request for a pre-motion conference, Defendants respectfully request that the parties be given an extension to file a proposed case management plan and status letter. This is the first request for an extension.

Request for Pre-Motion Conference

While a full pre motion conference letter will be filed, in accordance with the Court Rules, it is uncontroverted that the documents relied upon in the Plaintiffs Complaint conclusively show that Plaintiff was properly paid in accordance with the NYLL and the FLSA. Furthermore, Defendants provided all the notices required under the WTPA.

Conclusion

Based on the foregoing, Defendants request an extension of the deadline to submit a proposed case management plan and status letter, and further request that the Court conference schedule for March 15, 2024 go forward as a status conference. Thank you for your consideration of this matter.

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Respectfully submitted,

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Attorneys for the Defendants



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